

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
CONTRACT CONTROVERSY:)
)
Two Men and a Truck)
)
v.)
)
SC Workers' Compensation Commission)
)
Workers' Compensation Commission)
Purchase Order No. 4600007153)

**BEFORE THE
CHIEF PROCUREMENT OFFICER**

CASE NO. 2009-136

**ORDER
APPROVING SETTLEMENT**

This matter comes before the Chief Procurement Officer (CPO) pursuant to S.C. Code Ann. § 11-35-4230. Both the South Carolina Workers' Compensation Commission (SCWCC) and Two Men and a Truck (TM&T) requested that the CPO resolve a contract controversy between them. In order to resolve the matter, the CPO conducted a hearing on October 29, 2009. Appearing before the CPO were SCWCC, represented by Gary M. Cannon, Executive Director, and TM&T, represented by Joe Windemuller, General Manager. Also present were Evelyn Morgan and Kristi Hornsby for SCWCC and Theo Walker with TM&T. During the hearing, the parties mutually agreed to settle the matter. They asked the CPO to approve the settlement according to S.C. Code Ann. Section 11-35-4230(3).

The following contains the entire settlement agreement reached:

- SCWCC will pay TM&T \$2,071.25 within fifteen (15) days of the issuance date of this order. This amount is payment for an additional moving day, the use of three trucks and the appropriate personnel.


All parties to the contract controversy have settled the dispute by mutual agreement. The settlement terms as stated above are before me for consideration.

The CPO understands that all parties have considered the settlement carefully, understand the terms, and realize its consequences.

ACCORDINGLY, pursuant to § 11-35-4230(3), the settlement reached by mutual agreement of the parties is approved, and case number 2009-136 is closed.

FURTHER, all parties have withdrawn their requests for resolution. Therefore, any and all claims pending before the CPO in this matter are dismissed.

IT IS SO ORDERED.

A handwritten signature in cursive script, reading "Voight Shealy".

R. Voight Shealy
Chief Procurement Officer
for Supplies and Services

Columbia, South Carolina
October 30, 2009